

JOURNAL OF THE SENATE

Thursday, April 10, 1941

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Wednesday, April 9, 1941.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kan-ner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—38.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of April 9, 1941, was corrected and as corrected was approved.

Senator Shands moved that the Senate convene at 8:00 o'clock P. M., Thursday, April 17, 1941 for the purpose of conducting memorial services for those former members of the Senate who have passed away since the last biennial session of the Legislature.

Which was agreed to and it was so ordered.

Senator Cooley moved that a committee be appointed to escort Honorable George F. Westbrook, former member of the Senate from the 23rd Senatorial District, to a seat on the rostrum of the Senate.

Which was agreed to.

And the President appointed Senators Cooley, Butler and Shepherd as the committee.

REPORTS OF COMMITTEES

The Report of the Committee on Rules and Calendar was read:

Senator Maines moved that further consideration of the Report of the Committee on Rules and Calendar be postponed and that each Senator be furnished with a copy of the changes in the Rules of the Senate as proposed by the Committee.

Which was agreed to and it was so ordered.

Senator Horne moved that the Report of the Committee on Rules and Calendar be made a Special and Continuing Order of Business for consideration beginning at 11:00 o'clock A. M., Friday, April 11, 1941.

Which was agreed to and it was so ordered.

Senator Kelly moved that a committee be appointed to escort Honorable A. G. McArthur, former member of the Senate from the 16th Senatorial District, to a seat on the rostrum of the Senate.

Which was agreed to.

And the President appointed Senators Kelly, Taylor and McKenzie as the committee.

Senator Whitaker moved that the introduction of Senate Bills be deferred until after adoption of the Report of the Committee on Rules and Calendar.

Which was agreed to and it was so ordered.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following Message from the House of Representatives was received and read:

Tallahassee, Fla., April 10, 1941.

Hon. John R. Beacham,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

House Bill No. 28:

A bill to be entitled An Act to promote national and state defense by preventing sabotage; to that end to protect property by making criminal certain entries on, injuries to, inter-

ferences with, and defective workmanship in connection with property, and attempts, solicitations, and conspiracies to commit such acts; to restrict witnesses' privileges against self-incrimination in proceedings; to provide for questioning and detaining suspected persons; to authorize the closing of, and the restricting of the use of, certain highways; to provide that this Act shall not be construed to impair the rights of labor; to suspend inconsistent acts and parts of acts; to prescribe penalties for violations of this act; providing that this act shall be in effect until May 15, 1945; and thereafter when the United States is at war.

And respectfully requests the concurrence of the Senate therein.

Very Respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 28, contained in the above message, was read the first time by title only and referred to the Committee on Military Affairs.

The following Message from the House of Representatives was received and read:

Tallahassee, Fla., April 10, 1941.

Hon. John R. Beacham,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

House Bill No. 29:

A bill to be entitled An Act to regulate the manufacture, sale, distribution, use and possession of explosives; to require licenses to manufacture, deal in, and possess explosives, and fees for such licenses; providing for the appointment of a licensing authority, and prescribing its powers and duties; requiring reports and records from manufacturers and dealers in explosives; prohibiting the distribution of explosives to unlicensed persons; providing for the revocation of licenses; providing for an appeal from the decisions of the licensing authority; prescribing penalties for violations of this Act; authorizing the licensing authority to prescribe rules and regulations under this Act; and repealing acts and parts of acts inconsistent with this Act.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 29, contained in the above message, was read the first time by title only and referred to the Committee on Military Affairs.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, April 10, 1941.

Hon. John R. Beacham,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

House Bill No. 30:

A bill to be entitled An Act relating to national and state defense; authorizing and empowering the governor to create a state defense council to assist in co-ordinating state and local activities related to national and state defense; providing for the organization of such council and for the appointment of its members by the Governor; providing for their qualifications and term of office; authorizing the council to employ an executive director and other assistants and make other expenditures to carry out the purposes of this Act;

prescribing the powers and duties of the council; directing the council and county, local, and regional defense councils to utilize existing services and facilities; providing for the creation of county, local, and regional defense councils and for the powers and duties of such councils; making appropriations to pay the expenses of the state defense council; and repealing all laws and parts of laws in conflict herewith.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 30, contained in the above message, was read the first time by title only and referred to the Committee on Military Affairs and the Committee on Appropriations, jointly.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida, April 10, 1941.

Hon. John R. Beacham,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

House Bill No. 31:

A bill to be entitled An Act to establish the Florida Defense Force; authorizing the Governor, while the national guard of this state is in active federal service, to organize and maintain the Florida Defense Force in accordance with the National Defense Act and the regulations of the Secretary of War of the United States; providing for the membership of such force and its organization under rules and regulations prescribed by the Governor; providing for the pay and allowances of members of such force; authorizing the Governor to requisition arms and equipment and to make available to such force the facilities of state armories and other state property; providing for the calling out of such force; providing that such force shall not be required to serve outside of Florida except on certain conditions; granting permission to military forces of other states and the United States to continue pursuit into this state; provided that certain civil groups shall not be enlisted in the Florida Defense Force as a unit; providing for the qualifications and disqualifications of members of such force; providing for the term of enlistment and commission in such force; providing that the articles of war of the United States shall be in effect when such force is in active service; providing for freedom from arrest and jury duties of members of such force; providing for the discharge of such force; providing for the payment of expenses

in carrying out the provisions of this Act, and repealing all laws and parts of laws in conflict herewith.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 31, contained in the above message, was read the first time by title only and referred to the Committee on Military affairs.

Senator Butler moved that the Senate do now proceed to the consideration of Executive Communications.

Which was agreed to.

And the Senate went into Executive Session at 11:53 o'clock A. M.

The Senate emerged from Executive Session at 12:14 o'clock P. M., and resumed its session.

The roll was called and the following Senators answered to their names:

Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—38.

A quorum present.

Senator Hinely moved that the Sergeant-At-Arms be authorized and directed to furnish each Senator with postage stamps for official correspondence not to exceed one hundred three-cent stamps.

Which was agreed to and it was so ordered.

Senator Ward moved that the Senate do now adjourn.

Which was agreed to and the Senate stood adjourned at 12:18 o'clock P. M., until 11:00 o'clock A. M., Friday, April 11, 1941.

EXECUTIVE SESSION ANNOUNCEMENTS

The Senate in Executive Session on April 10, 1941, confirmed the following appointment made by the Governor:

James W. Pettyjohn, Harbor Master, Duval County, State of Florida, for a term of 2 years from April 6, 1941.

The Senate in Executive Session on April 10, 1941 consented to the suspension and removal from office by the Governor of the following former officials:

John T. McKinney, Constable in and for the Justice of the Peace District Number Six of Holmes County, State of Florida.

W. W. Bell, Member of the Board of County Commissioners, in and for District Number Two of Highlands County, State of Florida.